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quiries Auswered and

Mrs. C. A. H., Waterbury, Conn.-You evidently applied for pension under the general law instead of the act of 1890, else your claim would not have been rejected on the ground that the soldier's death-cause could not be traced to the service. In claims under the act of 1890 it is not necessary that the disability be shown to have originated in the service. Whether the claim was in fact brought under the general law or the act of 1890, re-marriage would not be a bar to its completion, if practicable, and securing of the pension up to date of remarriage. The children, if any under 16 can obtain pension under the act of 1890, or under the general law if a claim thereunder can be

established. N. J. S., Clio, Ky .- As your private bill new bill presented in this Congress. Bills at the post office after the pensioner's festly unfair.
death. The widow is entitled to the accrued pension and can receive the amount of the check and such additional amount and \$12 for laying a sidewalk. These are as may be due up to the date of the pensioner's death, upon application to the Commissioner of Pensions. If the con-dition of the disabled hand has been practically the same that it now is from the date the pension was made to commence, of course, the highest rate allowable is rightfully and lawfully due for the entire period. Application may be made to the Commissioner of Pensions. Consult your

J. A. R., Brookville, Ind .- See reply to N. J. S., above. Of course, the new bill will not be presented in the new Congress except by the claimant or his Senator or Representative interesting himself in the matter. That is to say, it is not the offi-cial duty of any one connected with Con-gress to see that all the bills or any bills that fail in the preceding Congress are reintroduced in the new Congress. A. J. P., Owatonna, Minn.-There is no law or ruling entitling invalid pensioners or pensioners of any other class to \$12 per month at attaining the age of 65

C. A. S., Keene, N. H .- None of the proposed service-pension bills provide for widows of soldiers who remarried after the soldier's death. B., Eden, Vt .- Not having enlisted for

three years until after July 21, 1861, the fore two years' service for reasons other than wound or injury method an service and line of duty or the end of the war.

J. A. Lowry City, Mo.—Even if wholly interest: being a way that best conserves her interest can not also and labor. The mable to perform any manual labor, the pensioner can not obtain the \$30 rate unless the Pension Buredu is satisfied that his disabilities and results. It must appear that it is these disabilities that render him unable to perform any manual labor. It

unable to perform any manual labor. If the Pension Bureau has distinctly refused to grant an application for the \$80 rate, in the face of evidence should using the mistration of evidence should use the presented in Congress and by a Member of solution of the face of the state of the presentation. An interpret may be shie to help you in preparing the case, but can not actually introduce the bill for you. Ordinarily a member of Congress is not expected to look after the interests of some expected to look after the interests of some sher members constituents. Your bill should be presented through one of your Schalors, it not through the Representative of your Congressional District.

B. R. McPherson, Kan.—The best way

to determine whether you can get a higher rate under the general law, under which you were formerly pensioned, than the \$12 you are now drawing under the act of 1890, is to file an ordinary application for increase, referring to your former gen-

W. M., Harmony, Me.—As it could not be shown that the soldier's death was in any way due to his army service, and the children are now over 16 years of age, they are not entitled to pension under any law. On the presumption that the soldier is dead, the widow could probably obtain

she has not remarried. M. V. B., Holland, Tex .- The propose service-pension laws would benefit only those now pensioned who are drawing less than the rates proposed by the new bills.
Subscriber, So. Willington, Conn.—See reply to C. A. S., above.

R. S., Iowa Falls, Iowa,-It appears from your statement that you are receivng \$24 per month by special act of Conin the service, and that you have recently had notice of the allowance of your old allowed by this claim over your old gen-

H. B. G.—See replies to N. J. S. and A. R., above. It is impossible to say L. L. C., Decorah, Iowa.—In claims for claims for increase of pension under the act of 1890 and in claims for increase under the general law based on pensioned disability, it is \$2. In other classes of claims for pension it is in general \$10 unless fee contracts are filed fin duplicated

less fee contracts are filed (in duplicate)
for a greater fee, not exceeding \$25.

J. B. M., Fieldbrook, Cal.—Congress by
a joint resolution of April 12, 1866, has
defined "line of duty" as "actually in service under military orders, not at the
time on furlough or leave of absence, nor
engaged in any unlawful or unauthorized engaged in any unlawful or unauthorized act or pursuit." It may be said generally that a soldier is in pensionable line of duty whenever present at his proper place and engaged in no act in violation officers, and guilty of no fault or negli-gence. The mere failure to hear from the ension Bureau is not necessarily an indication that an attorney is negligent. The negligence is very commonly negligence of the Pension Bureau. Pension cases are frequently found in the Pension Bureau with inquiries of the attorney of record or and the case resting in the files without any attention being paid to it. Ordinarily listments in the loyal States after April 13, 1865, or in the disloyal States, and the Territories and District of Columbia, after Manuel 1, 1865, are to be presumed not to have been enlistments in and for the war of the rebellion.

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DEPARTMENT NEWS.

DEPENDENCE-WIDOW'S TITLE ACT OF

JUNE 9, 1900. In the claim of the widow of Nelson B

the claimant was in possession of resources amply sufficient, if providently managed, to produce an annual income of over \$250.
The decision on the appeal from this action says (Assistant Secretary Miller, Septem-

ber 18, 1903): "The contention of the appellant is that she has not an 'actual net income' in excess of \$250 per year.

"In the first place it appears that she owns the house in which she lives, and while she places in the column of her expenses the cost of taxes, insurance, and repairs on said house, she does not set against these expenses the rental value of the property. Income is not necessarily money. It may take the form of grain, or live stock, or food, or clothing; in short, it may be anything that is convertible into money or that supplies the manifold wants of man. A house to live in is as much "income" as food to eat or clothing to wear, or money with which to clothing to wear, or money with which to

purchase or hire such necessaries.

"The assessed value of the appellant's home is \$1,440, which, according to her statement, is 40 per cent. of its actual value. Its actual value is, therefore, \$3,600. Its rental value is not stated, but another for pension by special act of Congress house owned by her worth \$2,700 rents for seems to have been presented in the last \$216 per annum. It would seem to be reahouse owned by her worth \$2,700 rents for Congress, it will be necessary to have a sonable to presume that the more valuable property would rent for \$275 per annum, that are not finally acted upon before the and this amount added to the appellant's expiration of each Congress are dead and 'income' column brings up the total to have to be revived in the new Congress \$535, or \$206.63 more than her expenses. following, by introduction of a new bill.

The present Congress will end on March
3, 1905. Under the regulations of the

Poor Company of the congress and annual tax of \$5.88 on personal property (including office furniture) Post Office Department a Postmaster and library valued at \$1,100) and \$8.80 would ordinarily return to the U. S. Penfor insurance on the same, but allows nothsion Agent any communication from that ing on the other side of the account for officer addressed to the pensioner, received the use of such property. This is mani-

"Again, there is charged in the expense account for 1900 \$57.38 for street paving permanent improvements, which will en-dure for a long time, and their cost should properly be distributed over the whole of hat time, and not charged up wholly to the year or years in which they were paid

"According to the claimant's statement she is the absolute owner of the following property, none of which is encumbered:

"The house in which she lives \$3,600 A double house, rented 2,700 A single frame house, rented.....

Note secured by mortgage 100 "Total 9,700 "If this property were converted into

money and the proceeds properly invested it would, in all probability, yield a net income in excess of \$250 per annum. As the Department said in the case of Harriet D. Howard (13 P. D., 448)—
"A claimant is chargeable with fair and reasonable results from income-producing property. She is called upon to use her noney or property in such a way as to

net income exceeding \$250 per annum-not in money, perhaps, but in forms more satisfactory to her stich as the possession of a comfortable home, increase in the cles needed in the practice of her pro-fession. The Department is clearly of the opinion that she does not come within the class of widows for whose benefit the acts of June 27, 1800, and May 9, 1900, were "The action of the Rureau is affirmed

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5. Power of Attorney. 6. Articles of Agreement. 7. Declaration for Increase of Invalid

8. Declaration for Original Invalid Pen-sion, under Act of July 14, 1862. 9. Declaration for Dependent Mother's Pension, Act of June 27; 1890. pension under the act of June 27, 1890, if 10. Declaration for Dependent Father's Pension, Act of June 27, 1890.

11. Power of Attorney and Articles of 12. Declaration for a Rerating of an Invalid Pension. 13. Declaration for Increase of Invalid Pension, Act of June 27, 1890, and May 9,

14. Declaration for Widow's Claim for Pension, Act of June 27, 1890, and May 9,

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